
Name

Address

City, State, Zip

Phone

Email

Check your email. You will receive information and documents at this email address.

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of the Adoption of

(name of person being adopted)

**Findings of Fact and Conclusions of
Law on Petition to Adopt a Minor
Stepchild**

Case Number

Judge

Having considered the documents filed with the court, the evidence and the arguments,
and now being fully informed,

The Court Finds:

1. The co-petitioners want _____ (name of adopting
parent) to adopt the child (the person being adopted) listed below:

(child's complete name)	
(child's date of birth)	
(child's city and state of birth)	

2. The child is under 18 years of age.

3. Utah has jurisdiction under Utah Code 81-13-102.
4. The case is filed in the right court because (Choose one.)
☐ Petitioners live in this judicial district.
OR
☐ Petitioners do not live in Utah but (Choose all that apply.)
☐ the child was born in this judicial district.
☐ the child lives in this judicial district.
5. Adoption serves the child's health, safety, welfare and moral climate and will promote the child's best interests.
6. The adopting parent is the child's stepparent.
7. The adopting parent is married to the child's custodial parent in a marriage that is legally valid and binding.
8. The adopting parent (Choose one.):
☐ is at least 10 years older than the child.
☐ is not at least 10 years older than the child, but their spouse is.
9. The child was born: (Choose one.)
☐ in Utah.
☐ in a state other than Utah and the requirements of Utah Code 80-2-901 to 910, Interstate Compact on Placement of Children, have been complied with.
10. The child has lived in the adopting parent's home for: (Choose one.)
☐ 180 days
☐ less than 180 days, but there is good cause to waive the requirement.
11. The child is not an Indian child as defined in 25 U.S. Code Section 1903.
12. The child is: (Choose one.)
☐ 16 years of age or older.
☐ under 16 and is considered a citizen or national of the United States by the United States Citizenship and Immigration Services.
☐ under 16 years of age and is not considered a citizen or national of the United States by the United States Citizenship and Immigration Services.
13. The pre-placement and post-placement adoptive evaluations are not required because the adopting parent is the child's stepparent and the adopting parent's spouse is the child's custodial parent.

14. The Federal Bureau of Investigation, the Utah Bureau of Criminal Identification, or the Utah Department of Health and Human Services has conducted a criminal history investigation, based on fingerprint identification, about the adopting parent and other adults living in the home (not including the custodial parent), which is on file with this court.
15. The adopting parent has not been convicted of, pleaded guilty to, or pleaded no contest to a disqualifying offense under Utah Code 78B-6-117(5).
16. The Division of Child and Family Services has investigated all reports and investigations of child abuse, neglect, and dependency about the adopting parent and other adults living in the home (not including the custodial parent), which is on file with this court.

WAIVER OF RIGHTS- CONSENT REQUIRED

17. The child: (Choose one.)
- ☐ has agreed to this adoption and waived notice.
 - ☐ cannot agree because the child is less than 12 years old.
 - ☐ cannot agree because the child lacks the mental capacity to agree.
18. The child's mother: (Choose one.)
- ☐ is a co-petitioner.
 - ☐ has died.
 - ☐ has agreed to this adoption and waives her rights.
 - ☐ has not agreed to this adoption, was served with Notice of Petition to Adopt and Notice of Rights, and did not timely file a Motion to Intervene.
 - ☐ is not entitled to agree because her parental rights have been terminated.
19. The child's father: (Choose one.)
- ☐ is a co-petitioner
 - ☐ has died.
 - ☐ has agreed to this adoption and waives his rights.
 - ☐ has not agreed to this adoption, was served with Notice of Petition to Adopt and Notice of Rights, and did not timely file a Motion to Intervene.
 - ☐ is not entitled to agree because his parental rights have been terminated.
 - ☐ does not have any legal right to contest or agree because the child was conceived as a result of a sexual offense by the father. Utah Code 81-13-201 and 207
 - ☐ does not have any legal right to contest or agree because: (All must apply.)

- he has not fully and strictly complied with the requirements of Utah Code 81-13-213; and
- he has not been determined to be the child's biological father before the mother agreed to the adoption or relinquished the child for adoption; and
- he did not sign and file a voluntary declaration of paternity with the state registrar of vital statistics before the mother agreed to the adoption or relinquished the child for adoption.

CHILD'S GUARDIAN

20. The child: (Choose one.)

☐ does not have a guardian.

OR

☐ has a guardian and the guardian: (Choose one.)

☐ has authority to agree, has agreed to this adoption, and waives their rights.

☐ does not have authority to agree, but has waived their right to notice and to intervene.

☐ , has not agreed or waived their rights, was served with Notice of Petition to Adopt and Notice of Rights, and did not timely file a Motion to Intervene.

WAIVER OF RIGHTS - CONSENT NOT REQUIRED

21. The child: (Choose one.)

☐ does not have a custodian.

OR

☐ has a custodian and the custodian (Choose one.)

☐ has waived their rights.

☐ has not waived their rights, was served with Notice of Petition to Adopt and Notice of Rights, and did not timely file a Motion to Intervene.

22. The child: (Choose one.)

☐ does not have a spouse.

OR

☐ has a spouse and the spouse (Choose one.)

☐ has waived their rights.

☐ has not waived their rights, was served with Notice of Petition to Adopt and Notice of Rights, and did not timely file a Motion to Intervene.

The Court Concludes:

23. The requirements of the, Utah Adoption Act in Utah Code 81-13-101 to 505 have been met.

Judge's signature may instead appear at the top of the first page of this document.

Date

Signature ► _____
Judge _____